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UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/884,739	06/18/2001	Fuad Rashid	005306.P022	4754

7590	02/08/2005	

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EXAMINER
LUU, SY D

ART UNIT	PAPER NUMBER
2174	

DATE MAILED: 02/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>20 September 2004</u>.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-51* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-51* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some *   c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1.   This communication is responsive to the Amendment filed 9/20/2004.

2.   Claims 1-51 are pending in this application. Claims 1, 22 and 37 are independent claims.

In the Amendment, claims 1, 6, 21, 22, 27-29, 37, and 46 were amended.   This action is made

Final.

3.   The text of those sections of Title 35, U.S. Code not included in this action can be found

in a prior Office action.

Claim Rejections - 35 USC § 102

4.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (a) (a) the invention was known or used by others in this country, or patented or described in a printed publication in
> this or a foreign country, before the invention thereof by the applicant for a patent.

5.   Claims 1, 22 and 37 are rejected under 35 U.S.C. 102(a) as being anticipated by

Applicant's Admitted Prior Art ("AAPA").

        As per claim 1, AAPA teaches a computer implemented method of building at least one

data display which comprises:

        defining for each data display at least one of

        an information presence on the display, the information presence comprising a plurality

of informational sets, each information set corresponding to one or more of the at least one data

displays, each information set having a corresponding placement (Specification, page 2, lines 2-

4; *e.g. Set #1 comprising of parts A/B, and Set #2 comprising of parts A/B/C, with a corresponding formatted display presentation*);

an information placement on the display, the information placement specifying one or more new positions for at least a portion of one or more of the information sets (Specification, page 2, lines 2-6; *display placements for the information sets*); and

defining a database entity having each of the defined information placement, and information presence (Specification, page 2, lines 14-16; *display templates that define database information to be displayed, as well as information placement*).

While AAPA teaches the step of displaying a multi-informational display template for the at least one data displays depending upon the data-base entity (Specification, page 2, lines 2-16; *each data display or template could contain more than one piece of information, e.g. Set #2 includes parts A/B/C*), AAPA does not explicitly disclose the step of generating such a display template. However, this step would have been an inherent step to the process in order for the display templates to be created and stored for future use.

Claims 22 and 37 are individually similar in scope to claim 1, and would have been rejected under similar rationale.

Claim Rejections - 35 USC § 103

6.   Claims 2-21, 23-36 and 38-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's Admitted Prior Art ("AAPA") in view of Bernardo et al. ("Bernardo", US 6,684,369 B1).

As per claims 2-21, while AAPA inherently teaches the step of generating/building display templates, AAPA does not explicitly disclose how a display template is created/built. Official Notice is taken that it is well known in the art that an actual end product, after being defined and saved as a template, could be used as a future template. For instance, a form containing commonly used information could be created, retrieved later and used as a template for another situation with minimal changes to it; after the changes, it could be saved separately from the template from which it was created from. A web page could be an example of such a form. Therefore, it would have been obvious to an artisan at the time of the invention to include such a method for creating a template with AAPA in order to easily and efficiently create a display template.

AAPA does not explicitly teach all detail limitations as claimed. Bernardo teaches a tool that enable personalization and customization of web pages from display templates (col. 2; lines 38-41). It would have been obvious to an artisan at the time of the invention to combine Bernardo's teaching of personalization and customization of pages with AAPA's templates in order to facilitate the creation of display templates using Bernardo's method in an easy and intuitive manner.

Bernardo teaches the steps of: defining an information presence being conditional based upon at least one of a display identification and a display mode [claim 2], and defining an information presence to include defining a presence of all data displays [claim 10] at col. 9, lines 48-60; and defining an information appearance to include selecting an information to appear and not appear according to at least one mode [claim 14] at col. 12, lines 10 et seq. (*depending on different browser types*).

Bernardo teaches the steps of: defining an information placement being conditional based upon a style [claim 3], defining an information placement to include defining a placement for all data displays [claim 11], defining an information placement to include modifying the placement of an information on a specified data display [claim 12], and the information display placement to include defining a placement for at least one placement style [claim 13] at col. 9, lines 48-60 (*positioning of objects*), and col. 8, lines 55-65 (*frame styles*);

Bernardo teaches the database entity to include: a conditional display appearance [claim 4], and at least one display tag to be conditionally executed if a display terminal browser requesting a display has a capability to support the display tag, and the generating includes generating only each display that is supported by the display terminal browser [claim 5], a record for each of at least one markup/display languages [claim 15], a record that has data that indicates the data displays that the information appears on [claim 16], a pointer to a record that has data that indicates the modes for which each of the data will appear on a data display [claim 17], a record that indicates a position of each data for each data display [claim 18], markup/display language statements [claim 19], tags that have a position indicator, and a record that indicates the information displayed in each position [claim 20], and a set of data displays that each information appears on [claim 21] as shown by database 148 in figure 1, and described at col. 8, lines 2 et seq., col. 20-23, col. 9, lines 48-60, and col. 12, lines 12 et seq. Bernardo does not explicitly discuss the details of database elements such as records and pointers. However, such elements are inherently basics and fundamentals to database structures and operations, and are therefore necessary to be employed with Bernardo's database in order to provide the system with a means for organizing and maintain the database.

Bernardo teaches displaying data from the display template at col. 2, lines 38-42 [claim 6].

Bernardo teaches the steps of defining for each data display to include user doing the defining through a computer interface, display interface or an interactive display layout at col. 9, lines 48-60, and col. 12, lines 10 et seq. [claims 7-9].

Claim 23 is similar in scope to the combination of claims 2-3, and is therefore rejected under similar rationale.

As per claim 24, Bernardo teaches the interactive display to be sent to a network-coupled computer system (col. 2, lines 57-60).

Claims 25-26 are similar in scope to claim 4, and are therefore rejected under similar rationale.

Claims 27-29 are similar in scope to claims 2-3, and are therefore rejected under similar rationale.

As per claim 30, the system of AAPA and Bernardo does not disclose a common template for each data display that has a contingent display capability for at least one of the information. Official Notice is taken that the use of a common template for different data displays that have a contingent display capability for at least one of the information therein is well known in the art. It would have been obvious to an artisan at the time of the invention to combine such a feature with the system of AAPA and Bernardo in order to simplify and reduce the number of redundant templates.

Claims 31-35 are similar in scope to claims 4, 2, 3, 15, 14 respectively, and are therefore rejected under similar rationale.

As per claim 36, Bernardo teaches the instruction to send the display template to a network (col. 8, lines 1-6; *templates being sent across the networks*).

Claims 38-51 are similar in scope to claims 23-37 respectively, and are therefore rejected under similar rationale.

Response to Arguments

7.   Applicant's arguments with respect to the newly amended independent claims have been fully considered but they are not persuasive.

Applicants argues that the data display templates disclosed in AAPA do not allow differing information sets with the same format, and do not allow differing formats of the same information. The Examiner disagrees for the reasons that the claim language does not appear to contain the wordings which reflect the features as alleged.   Furthermore, the claim language as recited are interpretable to be read on by the applied art as detail above.

Inquires

8.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sy Luu whose telephone number is **(571) 272-4064**. The examiner can normally be reached on Monday - Friday from 7:00 am to 3:30 pm (EST).
    If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid, can be reached on (571) 272-4063.
    The fax number for the organization where this application or proceeding is assigned is (703) 872-9306.
    Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

SY D. LUU
PRIMARY EXAMINER